RCE/IFW

OIPE JC98 MAY 18 2005 PATENT & TRADEMARK OFFICE

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

**Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).**

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|---|---|
| Application Number | 10/679,464 |
| Filing Date | October 7, 2003 |
| First Named Inventor | Kenshi KANEGAE et al. |
| Group Art Unit | 1765 |
| Examiner Name | Kin Chan Chen |
| Attorney Docket Number | 740819-1030 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

   a. ☐ Previously submitted
      i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
      ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
      iii. ☐ Other _____

   b. ☒ Enclosed
      i. ☒ Amendment/Reply
      ii. ☒ Terminal Disclaimer
      iii. ☒ Certified Translation of Priority Document No. JP 2000-117680
      iv. ☒ Copy of Memorandum from Deputy Comm. For Patent Examination Policy
      v. ☐ Petition for Three-month Extension of Time

2. Miscellaneous

   a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) **required**)

   b. ☐ Other _____

3. Fees — The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

   a. ☒ The Director is hereby authorized to charge the following fees, **$920.00**, additional fees which may be required, or credit any overpayments, to Deposit Account No. 19-2380. A duplicate copy of this document is enclosed.
      i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
      ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
      iii. ☒ Other Terminal Disclaimer

   b. ☐ Check in the amount of $_____ enclosed

   c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

| | | | |
|---|---|---|---|
| Name *(Print/Type)* | Donald R. Studebaker | Registration No. *(Attorney/Agent)* | 32,815 |
| Signature | | Date | May 18, 2005 |

**CERTIFICATE OF MAILING OR TRANSMISSION**
**[37 CFR 1.8(a)]**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or being facsimile transmitted to the USPTO at _____, on _____.

| | |
|---|---|
| Signature: | |
| Name: | |

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